

### **REMARKS**

This amendment is responsive to the final Office Action dated April 3, 2009. After its entry, claims 1 and 6-27 are currently pending in this application and subject to examination. Claims 2 and 3 were previously cancelled without prejudice or disclaimer in the amendment submitted January 7, 2009. Claims 4 and 5 are now cancelled without prejudice or disclaimer. Claim 1 is amended to incorporate the subject matter of cancelled claims 4 and 5. Support for this amendment is found in claims 4 and 5 as originally filed and at page 4, lines 29-35 of the present specification. The specification is amended to replace the title. No new matter is added.

Reconsideration of the application as amended is respectfully requested in view of the following remarks.

#### **Drawings Objection**

The present application stands objected to on the ground that it does not contain one or more drawings that show all of the features (*i.e.*, layers) of the claimed organic electroluminescent devices. Applicants are in the process of finalizing the required drawings and will submit them shortly in a supplemental amendment.

#### **Objection to the Title**

The title stands objected to on the ground that it is not descriptive. Applicants respectfully disagree. However, in the interest of expediting prosecution, Applicants have amended the specification to replace the current title with the title "Phosphorescent Organic Electroluminescent Device Having No Hole Transporting Layer". Applicants submit that this new title is "clearly indicative of the invention to which the claims are directed" and respectfully request withdrawal of this objection.

#### **Rejection Under 35 U.S.C. § 102(e)**

Claims 1, 4-10, 12, 13, 15, and 17-27 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent App. Pub. No. 2004/0106006 A1 to Eriyama et al. (Eriyama). This

rejection is moot as to claims 4 and 5, which are cancelled. Applicants respectfully traverse this rejection as to claims 1, 6-10, 12, 13, 15, and 17-27.

Claim 1, as amended, now recites:

“[O]rganic electroluminescent device comprising an anode, a cathode and at least one emission layer comprising at least one matrix material which is doped with at least one phosphorescent emitter, characterised in that the emission layer on the anode side is directly adjacent to an electrically conductive layer, wherein both said at least one matrix material and said at least one phosphorescent emitter are low-molecular-weight defined compounds having a molecular weight of less than 10,000 g/mol, and *wherein said electrically conductive layer is said anode or an organic hole-injection layer comprising a doped conductive polymer or a doped triarylamine derivative.*”

(emphasis added) Amended claim 1 requires, *inter alia*, that the electrically conductive layer be either (1) the anode or (2) an organic hole-injection layer comprising a doped conductive polymer or a doped triarylamine derivative. In other words, the at least one emission layer of amended claim 1 is *directly adjacent to* either the anode or an organic hole-injection layer comprising a doped conductive polymer or a doped triarylamine derivative. Amended claim 1 also requires that the at least one emission layer comprise at least one matrix material *doped* with at least one phosphorescent emitter.

In contrast, Eriyama does not disclose these features. In Figure 1 of Eriyama, an anode (2) and a luminescent layer (5) are depicted. Between these two layers are a hole-transporting layer (3) and a copper phthalocyanine layer (4). The hole-transporting and copper phthalocyanine layers are directly adjacent to each other with the hole-transporting layer directly adjacent to the anode and *the copper phthalocyanine layer directly adjacent to the luminescent layer*. This result of this configuration is that the luminescent layer (5) of Eriyama cannot be located directly adjacent to the anode or to an organic hole-injection layer comprising a doped

conductive polymer or a doped triarylamine derivative, as required by claim 1. The copper phthalocyanine layer (4) of Eriyama, which is directly adjacent to the luminescent layer (5), is not the anode (2) nor can it fairly be considered an organic hole-injection layer comprising a doped conductive polymer or a doped triarylamine derivative. Furthermore, contrary to Examiner's assertion, Eriyama does not disclose that its luminescent layer (5) comprises a matrix material *doped* with a phosphorescent emitter (*i.e.*, a mixture of matrix material and phosphorescent emitter). The phosphorescent agent used to form the luminescent layer (5) of Eriyama is a phosphorescent *oligomer or polymer*, not mixture of a matrix and phosphorescent emitter.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). Since Eriyama neither explicitly nor inherently teaches each and every limitation of amended claim 1, claim 1 is novel and patentable over Eriyama. Furthermore, since claims 6-10, 12, 13, 15, and 17-27 all depend directly or indirectly from claim 1, these claims are likewise novel and patentable over Eriyama. As such, Applicants respectfully request withdrawal of this rejection.

#### **Rejection Under 35 U.S.C. § 103(a)**

Claims 11, 14, and 16 stand rejected under 35 U.S.C. § 103(a) as rendered obvious by Eriyama in view of U.S. Patent App. Pub. No. 2003/0096138 A1 to Lecloux et al. (Lecloux). Applicants respectfully traverse.

Applicants incorporate herein by reference the remarks *supra* regarding claims 1, 6-10, 12, 13, 15, and 17-27. As with establishing anticipation, to establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. MPEP § 2143.03 (citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). Claims 11, 14, and 16 all depend from amended claim and, thus, require all of its features. The combined disclosures of Eriyama and Lecloux neither teach nor suggest the features of amended claim 1

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discussed *supra*, which are missing from the disclosure of Eriyama. Thus, the combined disclosures of these references fail to render claim 1 *prima facie* obvious. By extension, the combined teachings of these references also fail to render claims 11, 14, and 16 obvious, since these claims depend directly from claim 1. Applicants respectfully request withdrawal of this rejection.

In view of the foregoing amendment and remarks, Applicants submit that the present application is in condition for allowance.

Applicants believe no fee is due with this amendment. However, if a fee is due, the Director is hereby authorized to charge our Deposit Account No. 03-2775, under Order No. 14113-00010-US, from which the undersigned is authorized to draw.

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Respectfully submitted,

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